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Client/Matter: 008312-0280186

### REMARKS

Prior to this Amendment, claims 17-26 were pending. By this Amendment, claims 17 and 19-22 are amended and claims 18 and 23-26 are canceled without prejudice or disclaimer of the subject matter contained therein. Accordingly, after entry of this Amendment, claims 17 and 19-22 will remain pending. Reconsideration and the timely allowance of the pending claims, in view of the forgoing amendments and the following remarks, are respectfully requested.

Claims 18-20 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite because claims 18-20 depend on previously canceled claims. In response, claim 18 is canceled. Claims 19 and 20 are amended to depend on claim 17. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 17 and 21-26 were rejected under 35 U.S.C. §102(b) over U.S. Patent No 5,587,991A to Nabeshima et al (hereinafter "Nabeshima"). In response, claims 23-26 are canceled and thus the rejection of claim 23-26 is rendered moot. Applicants respectfully traverse the rejections of claims 17 and 21-22.

Claims 17, 21 and 22 are patentable over Nabeshima. Claim 17 is directed to an information reproducing apparatus used in a transmitting/receiving system. The information reproducing apparatus has, *inter alia*, means located in the receiving side, for obtaining a time difference between the stored transmission time information and the received transmission time information when the interruption of the reproduction is released. Claim 21 is directed to an information reproducing method used in a transmitting/receiving system. The method includes, *inter alia*, obtaining on the receiving side a time difference between the stored transmission time information and the received transmission time information when the interruption of the reproduction is released. Claim 22 is directed to an information reproducing apparatus for a transmitting/receiving system. The apparatus includes, *inter alia*, a time-difference-obtaining portion which obtains a time difference between the stored transmission time information and the received transmission time information when the interruption of the reproduction is released. Nabeshima does not describe the subject matter of claims 17, 21 and 22.


Nabeshima describes a SYNC (synchronous code) for synchronizing with data. However, even assuming without prejudice or disclaimer that the synchronous code corresponds to transmission time information, at least the synchronous code disclosed in the

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reference is not used to obtain a time difference between (1) a stored transmission time information stored when a reproduction of information to be transmitted is interrupted and (2) a received transmission time information received when the interruption of the reproduction is released. Nabeshima does not disclose, teach or suggest executing or charging of pay information in accordance with a value of specified time difference and/or time shift set forth in claims 17, 21 and 22. Accordingly, claims 17, 21 and 22 are allowable over Nabeshima.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,  
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